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TO:	Examiner Kerr	FROM:	SHELLY GUEST CERMAK
FAX:	703.872.9306	REF. NO:	US-1270
VOICE:		PAGES	12 (incl. this sheet)
App. No.:	<b>09/459,573</b>	DATE:	February 10, 2005

The undersigned hereby certifies that the following document(s) is (are) being transmitted by telefacsimile to the United States Patent and Trademark Office at the above "FAX" number, on the above DATE:

- 1) This facsimile cover sheet (1 page)
- 2) Request for Corrected Notice of Allowability (2 pages)
- 3) Copy of postcard receipt (3 page)
- 4) Copy of Information Disclosure Statement/ List of Related Cases (3 page)
- 5) Copy of List of Related Cases (3 pages)

  
\_\_\_\_\_  
Shelly Guest Cermak  
Registration Number 39,571

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+1 202 457 0107 (f)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:  
Livshits et al.

Application No.: 09/459,573

Filing Date: December 13, 1999

For: ESCHERICHIA BACTERIA  
OVEREXPRESSING THE yahN  
GENE FOR  
FEEDBACK-INSENSITIVE  
AMINO ACID PRODUCTION

Art Unit: 1652

Examiner: Ramirez

Attorney Ref. No.: US-127o

**VIA FACSIMILE TO: 703 872 9306**

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**FEB 10 2005**

**REQUEST FOR CORRECTED NOTICE OF ALLOWABILITY**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants gratefully acknowledge receipt of the Notice of Allowance and Issue Fee Due mailed from the USPTO in the above-captioned application on February 2, 2005. However, in our review of the file, we have noticed that Information Disclosure Statements ("IDS") submitted on March 1, 2000, June 4, 2001, and October 31, 2001 were never properly considered by the Examiner. We hereby submit the following papers, all of which were originally submitted on the above dates, as evidenced by the attached copy of the postcard receipts.

- Copy of postcard receipt (3)
- Copy of Information Disclosure Statement/List of Related Cases (3)
- Copy of List of Related Cases (3)
- 0 cited reference

We hereby request consideration and initialing of the List of Related Cases by the Examiner. We also request issuance of a corrected Notice of Allowability indicating



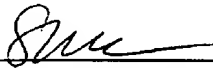
Att'y Dkt. No. US-1270

U.S. App. No: 09/459,573

consideration of this IDS. Please send this document along with the initialed copy of the List of Related Cases to the address of record.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and the undersigned hereby authorizes any such charges to be charged to our deposit account 50-3077.

Respectfully submitted,

By:   
Shelly Guest Cermak  
Registration No. 39,571

**U.S. P.T.O. Customer No. 38108**

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202.457.0107 (fax)

Date: February 10, 2005



Dept.: CHEMICAL  
By: NFO:GFL:ekd

QSM&N File No. 0010-1066-0

Serial No. 09/459.573

In the matter of the Application of: Vitaliy A. LIVSHITS, et al.

For: METHOD FOR PRODUCING L-AMINO ACID

The following has been received in the U.S. Patent Office on the date stamped hereon:

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> pp. Specification &                                | Claims/Drawings                        | Sheets  |
| <input type="checkbox"/> Combined Declaration, Petition & Power of Attorney |  | pages   |
| <input type="checkbox"/> List of Inventor Names and Addresses               |  |   |
| <input type="checkbox"/> Utility Patent Application                         |  | <input type="checkbox"/> CPA                              |
| <input type="checkbox"/> Notice of Priority                                 |  | <input type="checkbox"/> Priority Doc                     |
| <input type="checkbox"/> Check for  |  | <input checked="" type="checkbox"/> Dep. Acct. Order Form |
| <input type="checkbox"/> Fee Transmittal Form                               |  |   |
| <input type="checkbox"/> Assignment/PTO 1595 pages:                         |  |   |
| <input type="checkbox"/> Letter to Official Draftsman                       |  |   |
| <input type="checkbox"/> Letter Requesting Approval of Drawing Changes      |  |   |
| <input type="checkbox"/> Drawings   | sheets <input type="checkbox"/> Formal |   |
| <input type="checkbox"/> Letter   |  |   |
| <input type="checkbox"/> Amendment  |  |   |
| <input type="checkbox"/> Information Disclosure Statement                   |  |   |
| <input checked="" type="checkbox"/> Cited References (6)                    |  |   |
| <input type="checkbox"/> Search Report                                      |  |   |
| <input type="checkbox"/> Statement of Relevancy                             |  |   |
| <input checked="" type="checkbox"/> IDS/Related/List of Related Cases       |  |   |
| <input type="checkbox"/> Restriction Response                               |  |   |
| <input type="checkbox"/> Rule 132 Declaration                               |  |   |
| <input type="checkbox"/> Petition for Extension of Time                     |  |   |
| <input type="checkbox"/> Notice of Appeal                                   |  |   |
| <input type="checkbox"/> Brief  |  |   |
| <input type="checkbox"/> Issue Fee Transmittal                              |  |   |
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☒ PTO-1449



☐ Election Response

Due Date: March 13, 2000

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